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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2812
Examiner: Richard A. BOOTH

In Re PATENT APPLICATION Of:

Applicant(s): Toshio NAGATA)
Serial No.: 10/606,792)
Filed: June 27, 2003)
For: METHOD FOR FABRICATING A)
SEMICONDUCTOR DEVICE)
INCLUDING A TUNNEL OXIDE FILM)
Docket No.: MAE 286)

May 27, 2004

**RESPONSE TO
ELECTION OF SPECIES
REQUIREMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

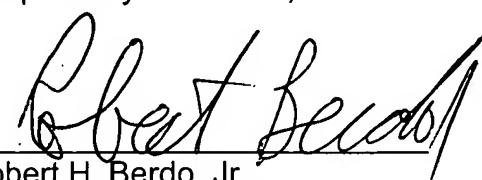
Sir:

Responsive to the Election Requirement dated April 27, 2004, Applicant elects the embodiment of species A in both groups A and B for examination.

It is not entirely clear what the Examiner means by groups A and B. One possibility is that group A consists of claims that limit the composition of the first film, and group B consists of claims that limit the annealing process. Assuming this interpretation, claims 2, 3, 11, and 12 (silicon nitride first film) read on the selected species in Group A, and claims 6, 7, 15 and 16 (dry oxygen annealing) read on the selected species in Group B. This election is made without traverse.

Examination of the application on the merits is respectfully requested.

Respectfully submitted,


Robert H. Berdo, Jr.
Registration No. 38,075
Customer No. 23995

May 27, 2004
Date

RHB:crh

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